

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JAMES COLE GREGORY,  
Plaintiff,**

**Civil Action No. 7:22-cv-00694**

**v.**

**WALLENS RIDGE STATE PRISON,  
Defendant(s),**

**MEMORANDUM OPINION**

**By: Thomas T. Cullen  
United States District Judge**

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By order entered December 5, 2022, the court directed plaintiff to submit within 20 days from the date of the order the inmate account statement for the month of November, 2022 in order to comply with the conditionally filed Order previously entered by the Court. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 9th day of January, 2023.

*/s/ Thomas T. Cullen*

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United States District Judge